

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Laurent COEN et al.

Serial No.: 09/501,787

Filed: February 11, 2000

For: HYBRID TETANUS TOXOID PROTEINS )  
THAT MIGRATE RETROGRADELY AND )  
TRANSYNAPTICALLY INTO THE CNS )



Group Art Unit: 1646

Examiner: Not Yet Assigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the following documents:

U.S. Patent No. 5,082,670;

U.S. Patent No. 5,580,859, which is discussed in the specification beginning at page 11, line 29;

U.S. Patent No. 5,589,466, which is discussed in the specification beginning at page 11, line 30; and

U.S. Patent No. 5,643,578, which is discussed in the specification beginning at page 16, line 25.

P#4

The following documents were cited in a PCT International Search Report for PCT Application PCT/EP98/05113, of which the present application is a continuation. For the Examiner's convenience, Applicants have also enclosed a copy of the International Search Report:

D.M. Figueiredo, et al: "Delivery of Recombinant Tetanus-superoxide Dismutase Proteins to Central Nervous System Neurons by Retrograde Axonal Transport." June 1997; pp.546-54; EXPERIMENTAL NEUROLOGY;

P. Beaudé, et al.: "Retrograde Axonal Transport of an Exogenous Enzyme Covalently Linked to B-IIb Fragment of Tetanus Toxin." Oct. 1, 1990; pp. 87-91; BIOCHEMICAL JOURNAL;

P.S. Fishman, et al: "Enhanced CNS Uptake of Systemically Administered Proteins Through Conjugation with Tetanus C-fragment." Sept. 1990; pp.311-25; JOURNAL OF THE NEUROLOGICAL SCIENCES; and

EP 0 030 496.

Also for the Examiner's convenience, Applicants have attached copies of the following documents, which are listed in the annex to the International Search Report as family members of EP 0030496 (which is written in French):

CA 1152493 A; and

CA 1178949 A.

Copies of the above-listed documents are attached, and are duly listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three

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FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, D. C. 20005  
202-408-4000

months of the filing date of the above-referenced application, and no fee should be necessary for its consideration. However, if there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

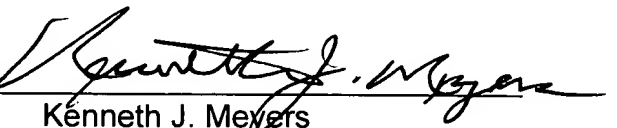
Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Kenneth J. Meyers  
Reg. No. 25,146

Date: May 9, 2000

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FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000